

ABBY B. CONLEY,

CIVIL DIVISION

Plaintiff,

No.: 05-CV-76 E

-vs-

Judge Sean J. McLaughlin

COUNTY OF ERIE, ERIE COUNTY OFFICE  
OF CHILDREN AND YOUTH a/k/a ERIE  
COUNTY CHILD WELFARE SERVICE,  
RICHARD SCHENKER, individually and in  
his capacity as County Executive of Erie  
County, Pennsylvania, PETER CALLAN,  
individually and in his capacity as Erie County  
Director of Personnel, DEBRA LIEBEL,  
individually and in her capacity as Executive  
Director, Erie County Office of Children and  
Youth a/k/a Erie County Child Welfare  
Service, and JOHN A. ONORATO,  
ESQUIRE, individually and in his capacity as  
Erie County Solicitor,

Defendants.

**DEFENDANTS' RESPONSES TO PLAINTIFF'S  
REQUEST FOR PRODUCTION OF DOCUMENTS**

AND NOW, comes the Defendants, by and through their counsel, the Law Office

of Joseph S. Weimer and Edmond R. Joyal, Jr., Esquire, and hereby submits the following

Responses to Plaintiff's Request for Production of Documents as follows:

plaintiff known to Erie County or the Office of Children and Youth prior to the meeting of September 10, 2004.

**RESPONSE:**

Objection. This interrogatory is unduly burdensome in that it is not specific in time and includes thousands of e-mails contained on the hard drives of computers used by plaintiff during her employment with Erie county OCY. In addition, most e-mails contain information that is confidential in nature and protected from disclosure by state and federal law. The defendants object as well on the grounds that the interrogatory as written is not reasonably calculated to lead to the discovery of admissible evidence.

2. Please produce each E-mail to or from plaintiff which came into your possession after the September 10, 2004 meeting.

**RESPONSE:**

No emails came into the possession of the defendant after the September 10, 2004, meeting.

Joyal, Esquire, at page 7, lines 3 to 8, of the transcript of the June 3, 2005 status conference.

**RESPONSE:**

That email was produced at the deposition of plaintiff and has been previously provided to plaintiff's counsel during the litigation before the state labor relations board.

4. Please produce the template for court summaries to be prepared by case aides prior to court hearings in dependency cases.

**RESPONSE:**

There is no such template for "case aides". In addition, plaintiff has possession of her case summary examples and it is presumed by defendant that she used previous summaries and cut and pasted as necessary.

instance of disclosure of confidential information by plaintiff.

**RESPONSE:**

All emails used in the depositions as well as those produced to plaintiff's counsel during prior litigation involving the state labor relations board.

6. Please produce all documents which refer, relate to, or comprise any report of findings of any investigation conducted by the Pennsylvania Department of Public Welfare regarding allegations made by plaintiff that caseworker Patricia Wozniak improperly touched a child, referred to by Edmond Joyal, Esquire, on page 14, lines 2 to 23 of the June 6, 2005 status conference.

**RESPONSE:**

Objection. This request seeks information deemed confidential pursuant to 23Pa. C. S. A. §§ 6339, 6340, and 6349.

**RESPONSE:**

Objection. Defendant does not have any knowledge of the information identified in this request. Without waiving this objection, defendant states that all documents have been previously produced to plaintiff's counsel during prior litigation.

8. Please produce a complete and unredacted copy of plaintiff's personnel file, including all performance reviews of the plaintiff for the entire time she was employed by the County of Erie in any capacity.

**RESPONSE:**

These documents have been previously produced to plaintiff's counsel during the labor relations process.

relate to, or memorialize, any communications between and among Debra Liebel, Michael Cauley, Susan Deveney, Patricia Wozniak, John Onorato, Richard Schenker, and/or Peter Callan regarding plaintiff, any case in which plaintiff was involved, or any investigation of the plaintiff between January 1, 2004 and September 10, 2004.

**RESPONSE:**

Objection. This request seeks information that is confidential and privileged under state and federal statutes.

10. Please produce a complete and unredacted copy of the personnel files for Richard Schenker, John Onorato, Peter Callan, Michael Cauley, Debra Liebel, Susan Deveney, Patricia Wozniak, and Deanna Cosby.

**RESPONSE:**

Objection. This request is not reasonably calculated to lead to the discovery of admissible evidence and is propounded to harass and intimidate these individuals.

from Susan Deveney to plaintiff regarding any court summary prepared for the Schuster/Casella case.

**RESPONSE:**

Objection. This request seeks information protected from disclosure under state and federal statute and is not reasonably calculated to lead to the discovery of admissible evidence.

12. Please produce any organizational chart reflecting the organization of the Erie County Office of Children and Youth or the chain of supervision of the Erie County Office of Children and Youth existing between January 1, 2002 and September 10, 2004.

**RESPONSE:**

Such documents are no longer in existence and defendant is making an effort to recreate the possible responses due to many changes due to turnover and promotion.

January 1, 2004 and September 10, 2004, or any similar document which reflects the activities of

Patricia Wozniak between those dates.

**RESPONSE:**

Objection. This request is not reasonably calculated to lead to the discovery of  
admissible evidence and seeks information concerning clients that is protected by state and  
federal statute and regulation.

14. Please produce all documents reflecting earnings of the plaintiff from her  
employment with defendant, County of Erie, from the date said employment commenced  
through the date it was terminated.

**RESPONSE:**

Plaintiff has these documents in her possession and control through her W 2  
statements.



**RESPONSE:**

Objection. This request is not reasonably calculated to lead to the discovery of admissible evidence and seeks information concerning clients that is protected by state and federal statute and regulation.

16. Please produce all court orders entered in the Schuster/Casella case.

**RESPONSE:**

Objection. This request is not reasonably calculated to lead to the discovery of admissible evidence and seeks information concerning clients that is protected by state and federal statute and regulation.

communications between and among the Erie County Office of Children and Youth and Cheryl Beers.

**RESPONSE:**

Objection. This request is not reasonably calculated to lead to the discovery of admissible evidence and seeks information concerning clients that is protected by state and federal statute and regulation.

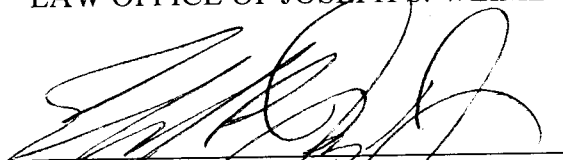
comprise any communications between and among Michael Cauley, Susan Deveney, and

Patricia Wozniak concerning the Schuster/Casella case or the Vickie Wilson case from June 1, 2004 through September 10, 2004.

**RESPONSE:**

Objection. This request is not reasonably calculated to lead to the discovery of admissible evidence and seeks information concerning clients that is protected by state and federal statute and regulation.

LAW OFFICE OF JOSEPH S. WEIMER



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PA I.D. #65907  
Attorney for Defendants  
County of Erie, Erie County Office of  
Children and Youth a/k/a Erie County Child  
Welfare Service, Richard Schenker, Peter  
Callan, and Debra Liebel

I hereby certify that a true and correct copy of the foregoing DEFENDANTS'

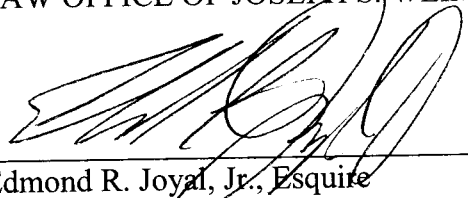
ANSWERS TO PLAINTIFF'S REQUEST FOR PRODUCTION OF DOCUMENTS has been served by First Class Mail, postage pre-paid, upon the following parties on this 21<sup>st</sup> day of November, 2005.

Anthony Angelone, Esquire  
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Erie, PA 16509  
*(Counsel for Plaintiff)*

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*(Counsel for Defendant, John A. Onorato, Esquire)*

LAW OFFICE OF JOSEPH S. WEIMER



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Children and Youth a/k/a Erie County Child  
Welfare Service, Richard Schenker, Peter  
Callan, and Debra Liebel